

Message Text

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43

ACTION EB-07

INFO OCT-01 EA-07 IO-10 ISO-00 AGR-05 CEA-01 CIAE-00

COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15 STR-04

TAR-01 TRSE-00 USIA-06 PRS-01 SP-02 FEAE-00 OMB-01

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FM USMISSION GENEVA

TO SECSTATE WASHDC 6275

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E.O. 11652: N/A

TAGS: GATT, ETRD, JA

SUBJECT: GATT ART. XIX: 2 CONSULTATIONS WITH JAPAN

REF: (A) GENEVA 6761 (B) STATE 206245 (C) STATE 225562

IN RESPONSE TO U.S. PRESENTATION CITED REFTELS (A) AND (B),
JAPANESE MISSION HAS REPLIED WITH TALING PAPER AS FOLLOWS:

"AS REGARDS THE CONSULTATIONS AND NEGOTIATIONS BETWEEN JAPAN
AND THE U.S. UNDER ARTICLE XIX OF THE GENERAL AGREEMENT, I
WISH TO INFORM YOU, UNDER INSTRUCTIONS FROM MY GOVERNMENT,
OF THE FOLLOWING:

"IT SHOULD BE RECALLED THAT THE HOLDING OF CONSULTATIONS ON
THE U.S. ACTIONS ON BALL-BEARINGS UNDER ARTICLE XIX AND
THE NEGOTIATIONS FOR THE SETTLEMENTS BETWEEN JAPAN AND THE
U.S. OF ALL THE OUTSTANDING OBLIGATIONS FOR COMPENSATIONS
ARISING FROM THE PAST ARTICLE XIX ACTIONS HAD BEEN POST-
PONED DUE TO THE ABSENCE ON THE PART OF THE U.S.

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GOVERNMENT OF AUTHORITY TO NEGOTIATE TARIFF CONCESSIONS

AND THE JAPANESE GOVERNMENT, TAKING FULLY INTO ACCOUNT THE SPECIAL DIFFICULTIES OF THE U.S. GOVERNMENT, HAD SHOWN A FLEXIBLE ATTITUDE AS TO THE TIMING FOR A NEGOTIATION ON THIS SUBJECT:. AGAINST THIS BACKGROUND, THE JAPANESE GOVERNMENT FINDS IT DIFFICULT TO UNDERSTAND THE U.S. SUGGESTION THAT THIS NEGOTIATION BE RELATED TO THE QUESTION OF RESIDUAL QR'S MAINTAINED BY JAPAN.

"THE JAPANESE GOVERNMENT CONTINUES TO HOLD THE VIEW THAT THE CONSULTATIONS AND THE NEGOTIATIONS UNDER ARTICLE XIX BE HELD BETWEEN JAPAN AND THE U.S. IN ACCORDANCE WITH THE ESTABLISHED RULES AND PROCEDURES OF THE GATT AT THE EARLIEST POSSIBLE DATE.

"AS IS RECOGNIZED BY THE U.S. SIDE, THERE IS NO FORMAL LINK BETWEEN THE NEGOTIATIONS FOR THE SETTLEMENT OF OBLIGATIONS FOR COMPENSATION, WHICH IS PURELY A TARIFF MATTER, AND THE QUESTION OF RESIDUAL QR'S. THESE TWO MATTERS, IN OUR VIEW, SHOULD BE DEALT WITH SEPARATELY.

"IT IS NOTED THAT QR'S ARE TO BE DISCUSSED IN THE CONTEXT OF THE MTN. JAPAN, WHILE INTENDING TO PROCEED ON THE DISCUSSION OF THIS MATTER IN ACCORDANCE WITH PROCEDURES ALREADY AGREED OR TO BE AGREED UPON ON RESPECT OF QR'S ON INDUSTRIAL AS WELL AS AGRICULTURAL PRODUCTS, DOES NOT INTEND TO RELATE THESE MATTERS TO CONSULTATION OR NEGOTIATION UNDER ARTICLE XIX OF THE GENERAL AGREEMENT.

"AT THE SAME TIME, THE JAPANESE GOVERNMENT WISHES TO AVOID ENTERING INTO DETAILED DISCUSSIONS ON LEGAL INTERPRETATION OF THE U.S. TRADE ACT OF 1974 AND PROPOSES THAT NEGOTIATIONS BE HELD UNDER NORMAL RULES AND PROCEDURES OF THE GATT." ABRAMS

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